

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

The Estate of Yaron Ungar, et al.,

Plaintiffs,

v.

Orascom Telecom Holding S.A.E., et al.,

Defendants.

Case No. 05-CV-7765 (CM)

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law, Orascom Telecom Holding S.A.E. respectfully moves this Court for an order dismissing with prejudice Plaintiffs' Complaint in its entirety. Plaintiffs' Complaint should be dismissed outright because this Court's ruling in a related case that the Court lacks personal jurisdiction over Orascom has preclusive effect here under the doctrine of collateral estoppel. In addition, the Complaint should be dismissed in its entirety (i) pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure for lack of subject-matter jurisdiction; (ii) pursuant to Rule 12(b)(2) for lack of personal jurisdiction over Orascom; (iii) pursuant to Rule 12(b)(6) because Plaintiffs have failed to state a claim for equitable relief under a creditor's bill or supplemental bill or, alternatively, pursuant to

N.Y. C.P.L.R. §§ 5225 and 5227; and (iv) because this Court lacks jurisdiction over the alleged money, property, and/or debt.

Dated: December 8, 2005

Respectfully submitted,

WHITE & CASE_{LLP}

By: /s/ Christopher M. Curran
Christopher M. Curran (CC-4779)
Nicole Erb (NE-7104)
701 Thirteenth Street, N.W.
Washington, D.C. 20005
(202) 626-3600

Counsel for Orascom Telecom Holding S.A.E.